REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

After entry of the foregoing amendment, Claims 1-13 remain pending in the present application. Claims 1, 7, 8 and 13 have been amended to clarify the operation of the application layer processing. No new matter has been added.

By way of summary, the Official Action presents the following issues: the specification has been objected to; Claims 7 and 13 stand objected to as to matters of form; Claims 1, 7, 8 and 13 stand rejected under 35 U.S.C. § 112, second paragraph; and Claims 1-13 stand rejected under 35 U.S.C. § 103 as being unpatentable over "A Secure Registration Protocol for Media Appliances in Wireless Home Networks" (hereinafter Kumar) in view of Karaoguz (US Patent Publication 2004/0117650, hereinafter Karaoguz) in view of Friedman (US Patent 5,757,924, hereinafter Friedman).

OBJECTION TO THE SPECIFICATION

At page 9 of the Official Action, the Office continues to object to the use of the terminology "processor", as recited in Claim 13. The Official Action contends that this language lacks support in the specification. Specifically, at page 9 of the Official Action it is noted that:

> Yes, the Office understands that a general computer might have a processor or could be a virtual machine, in which case it would not have a processor. The Office requires that a general computer be explicitly described in the specification. Therefore, the objection will stand.

The Office is invited to review Figure 2 in this regard, specifically, CPU (201). The Office is reminded that the breadth of the Applicants' claims are not at issue, instead, the terminology "processor" has been objected to as lacking support in the specification. As

Figure 2 provides clear support for the terminology as claimed, and describes the exact general purpose computing platform identified by the Office, it is unclear why this objection has been maintained. Should the Office maintain this objection in a subsequent communication, Applicants respectfully request that the Office identify any perceived deficiencies with respect to Figure 2 and the above-noted claim language.[1]

CLAIM OBJECTIONS

With regard to the claim objections outlined at paragraph 3 of the Official Action, Applicants have amended the claims to delete the claim language "from the compared data identified" as redundant.

Accordingly, Applicants respectfully request that the objection to the claims be withdrawn.

REJECTION UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

With regard to the rejection of Claims 1, 7, 8 and 13 as outlined at paragraph 4 of the Official Action, Applicants have amended these claims to clarify the functionality of the application layer processing.

Accordingly, Applicants respectfully request that the rejection of Claims 1, 7, 8 and 13 under 35 U.S.C. § 112, second paragraph, be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 103

The Official Action has rejected Claims 1-13 under 35 U.S.C. § 103 as being unpatentable over Kumar and Karaoguz in view of Friedman. The Official Action contends

[1] Applicants also note that a "virtual machine" is itself a processor. Of course, such structures would be recognized as equivalents to any specific hardware features of the Applicants' specification.

that the combination of Kumar, Karaoguz and Friedman describe all of the Applicants' claimed features. Applicants respectfully traverse the rejection.

Applicants' amended Claim 1 recites, *inter alia*, a communication processing apparatus for executing a communication process via a network, including:

> a communication unit configured to implement a communication process related to an authentication process according to a predetermined authentication method, the communication process being performed in order to acquire secret information permitted to be disclosed only to devices in a local network corresponding to said authentication method; unique identification information of a communication destination device in said communication process is acquired by data processing at a network layer or lower of an OSI reference model; unique identification information of an authentication partner device is acquired in an extended authentication sequence of said authentication method upon execution of a process command at the application layer of the OSI reference model, the application layer process command being provided within a application layer process packet of the authentication process that is processed at the network layer or lower of the OSI reference model; said acquired unique identification information of said communication destination device is compared with said acquired unique identification information of said authentication partner device; and based upon a successful match resulting from the compared data, a process is executed to judge whether said authentication partner device is a device connected to a same local network as a local network to which a local device being a communication source device is connected. (Emphasis added).

Kumar describes a method of authenticating communicating devices. As described at page 111 of Kumar a key exchange is utilized for authenticating devices. As noted in the Official Action, Kumar fails to teach unique identification information of a communication destination device in a communication process is acquired by data processing at a network layer or lower of an OSI reference model; unique identification information of an authentication partner device is acquired in an authentication sequence of the authentication method as data introduced to a packet by an application layer process of the OSI reference model. In this regard, the Official Action cites Karagouz.

Karagouz describes a media exchange network (100) which includes a plurality of devices which communicate in accordance with a secure media peripheral association and authentication procedure. As outlined at paragraph [0043] of Karagouz devices may be identified by an IP address, a capital MAC address, or the like. While the Official Action states that paragraphs [0055] and [0066] of Karagouz describes application layer processing, there is no application layer processing described. Moreover, Applicants note that the claims require that unique identification information is acquired in an extended authentication sequence of an authentication method upon execution of an application layer process command of the OSI reference model, the command being provided within a packet of the authentication process processing at the network layer or lower of the OSI reference model.

Neither Karagouz nor Kumar describe extending an authentication process by including within a packet of the process, which process is at the network layer or lower of the OSI reference model, an application layer authentication command, as claimed.

Neither Kumar nor Karagouz describes this more detailed aspect of the Applicants' claimed advancements.[2] Accordingly, Applicants respectfully request that the rejection of Claims 1-13 under 35 U.S.C. § 103 be withdrawn.

[2] Although the Official Action cites the Friedman reference, Applicants note that this reference has not been applied against the independent claims. As such, this reference need not be discussed further as the dependent claims are allowable at least for the reasons discussed above.

CONCLUSION

Consequently, in view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including Claims 1-13, is in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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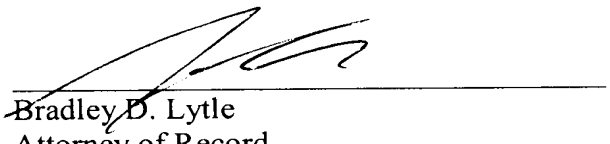

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